

Digital Equity Act (DEA) and Broadband Equity, Access, and Deployment (BEAD)

Vermont Community Broadband Board
March 13, 2023

Intro and Executive Summary

- The importance of this presentation
- What we know, what we don't know, and what we are still negotiating
- Intro Clay Purvis (Federal Program Officer) and Doug Farnham (Deputy Secretary, Agency of Administration)



Infrastructure, Investment, and Jobs Act

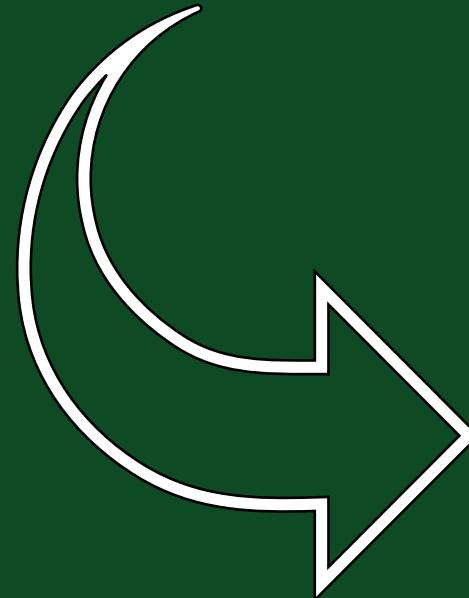
- Infrastructure, Investment, and Jobs Act (IIJA) signed into law by President Biden on Nov. 15, 2021.
- This investment builds upon the funding for broadband deployment provided in the American Rescue Plan, the Consolidated Appropriations Act, 2021, the FCC's Universal Service program, and USDA's Rural Utilities Service broadband programs.

"The legislation's \$65 billion investment – which builds on the billions of dollars provided for broadband deployment in the American Rescue Plan – will help ensure every American has access to reliable high-speed internet with an historic investment in broadband infrastructure deployment, just as the federal government made a historic effort to provide electricity to every American nearly one hundred years ago." -

[Whitehouse.gov](https://www.whitehouse.gov)

IJA \$65B Broadband Investment

- \$14.42B for Affordability Connectivity Program (ACP), administered by FCC (expires end of 2024)
- \$2B for Rural Utilities Service, administered by USDA
- \$600M for private activity bonds to be used by state and local governments for rural broadband
- \$48.2B for programs administered by the National Telecommunications and Information Administration (NTIA)



\$48.2B for Programs Administered by NTIA:

- Broadband Equity, Access & Deployment Program (BEAD)
 - \$42.5B – State & territory formula program
- Digital Equity Act Programs
 - \$2.75B – 3 programs created
- Enabling Middle Mile Infrastructure
 - \$1B – Direct competitive grant on technology-neutral basis
- Tribal Connectivity
 - \$2B – 4 key amendments to Tribal Broadband Connectivity Program

Tribal Connectivity

Tribal Connectivity Technical Amendments

Program objective | Provide new funds and extend expenditure deadlines for the Tribal Broadband Connectivity Program (established under the Consolidated Appropriations Act, 2021)⁵

Key Amendments

- Add \$2 billion for NTIA to distribute to eligible entities, including to fund previously-proposed programs
- Relax time requirements of original program—eligible entities now have up to: (1) 6 months to submit applications, (2) 18 months to commit the funds to projects, once funds are received, and (3) 4 years to fully expend the grant funds, once funds are received
- Allow infrastructure grantees to expend up to 2.5% total project cost for related planning, feasibility and sustainability studies
- Preserving unused allocated funds for other Tribal broadband projects instead of reverting back to the Treasury

Eligible entities | Tribal Governments; Tribal Colleges or Universities; Tribal Organizations; Native Corporations; and The Department of Hawaiian Home Lands on behalf of the Native Hawaiian Community, including Native Hawaiian Education Programs.

\$2.0B

**4 Key
Amendments
to Tribal
Broadband
Connectivity
Program**

Vermont Status: Vermont does not have any federally recognized tribes and therefore is ineligible for this funding

Middle Mile Infrastructure

Enabling Middle Mile Infrastructure

\$1.0B

Program objective | To “[e]ncourage the expansion and extension of middle mile infrastructure to reduce the cost of connecting unserved and underserved areas . . . and to promote broadband connection resiliency . . .”³

Program priorities | at least 2 of the 5 following conditions:

- Adopt “fiscally sustainable middle mile strategies”
- Commit to offering non-discriminatory interconnect
- Identify specific, documented and sustainable demand for middle mile interconnect
- Identify conditions/resources to speed up project
- Demonstrate benefits to national security interests

Eligible entities | Can be one of the following or a partnership of multiple: State or its political subdivisions, Tribal government, Tech company, Electric utility, utility cooperative or public utility district, Telecom company or cooperative, Nonprofit foundation, corporation, institution, or association, Regional planning council, Native entity, Economic development authority

**Direct
Competitive
Grant on
Technology-
Neutral Basis**

Vermont Status: Vermont has submitted Middle Mile application and is awaiting a decision from the NTIA

Digital Equity Act (DEA)

Digital Equity Act Programs¹

Program objective | Support the closure of the digital divide & promote equity and digital inclusion, so that "individuals and communities have the information technology capacity that is needed for full participation in the society and economy of the United States."²

Program priorities | Prioritizes covered populations:

- Individuals living in households earning at or below 150% of the poverty line
- Veterans
- Aging individuals
- Incarcerated individuals
- Individuals with a language barrier
- Individuals with disabilities
- Individuals who are members of a racial or ethnic minority group
- Individuals who primarily reside in a rural areas

\$2.75B

3
programs
created

Eligible entities | State Planning Grant Program: Any U.S. State, the District of Columbia & Puerto Rico. State Governors must appoint an 'administering entity,' which can be one, or a partnership of:

The State, political subdivision, agency, or instrumentality of State; An Indian Tribe, Alaska Native entity or Native Hawaiian organization located in the State; A foundation, corporation, institution, association, or coalition that is a not-for-profit, not a school, and is providing services in the State; A community anchor institution (not a school) located in the State; A local educational agency that is located in the State; An entity located in the State that carries out a workforce development program; An agency of the State that is responsible for administering or supervising adult education and literacy activities in the State; A public or multi-family housing authority that is located in the State

Vermont Status: VCBB has received the State Planning Program grant, and will be applying for the State Capacity Program grant and developing a state strategy for the Competitive Program grant

Broadband Equity, Access, & Deployment Program (BEAD)

Broadband Equity, Access & Deployment Program (BEAD)

\$42.45B

Program objective | To close the availability gap, as Congress finds that "access to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States."²

Program priorities

- ① Unserved locations (No access to 25/3 Mbps³)
- ② Underserved locations (No access to 100/20 Mbps³)
- ③ Community anchor institutions (Without gigabit connections)

State & Territory formula program⁴

Eligible entities must also prioritize persistent poverty / high-poverty areas, speed of proposed network, build time and demonstrated records on compliance with federal labor & employment laws. Eligible entities will also be required to offer a low-cost plan to all their subscribers. The details and rules around the low-cost plans will be part of each State's plan, which will have to be approved by NTIA.

Eligible entities | All 50 U.S. States and certain U.S. Territories (including the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands)

Vermont Status: Vermont has received BEAD planning funds for developing our 5-year plan and our Initial and Final Proposal for the NTIA. These proposal will release the remainder of the funds.



BEAD and Digital Equity alignment

"Participants should view their projects funded by the BEAD and the DE Planning Programs as complementary efforts aimed at the unified objective of closing the digital divide."

"...it is critical that states and territories ("Participants") align their efforts because the programs have shared objectives."

"Digital equity is a core component of the BEAD Program and must be woven throughout participants' plans and proposals... [This] is an opportunity for participants to holistically embed equity into projects. Successful infrastructure deployment requires that all communities can meaningfully adopt and use high-speed internet services, particularly those that have historically been excluded from access... NTIA expects that all communities – not just those in high income or otherwise privileged areas – receive the same quality and speed from infrastructure funded by the BEAD Program; deprioritizing historically marginalized communities due to lack of political will or logistical complications will not be tolerated."

Digital Equity Act (DEA)

"High-speed internet access is not a luxury, but a necessity, for all Americans, regardless of their age, race, or income, irrespective of where they live, what languages they speak, what resources they have at their disposal, and what specific challenges they may face in their daily lives." - DE NOFO



Digital divide is the issue.
Digital equity is the goal.
Digital inclusion is the work.

Digital Equity— the condition in which individuals and communities have the information technology capacity needed for full participation in the society and economy of the USA.

Digital Inclusion –

- Means the activities necessary to ensure all individuals in the USA have access to, and use of, affordable information and communication technologies, such as—
 - a. Reliable fixed and wireless broadband internet service;
 - b. Internet-enabled devices that meet the needs of the user; and
 - c. Applications and online content designed to enable and encourage self-sufficiency, participation, and collaboration; and
- Includes—
 - a. Obtaining access to digital literacy training;
 - b. The provision of quality technical support; and
 - c. Obtaining basic awareness of measures to ensure online privacy and cybersecurity.



Digital Equity Act major points



- Digital Equity definition is broad
- States are empowered to identify barriers to digital equity and outline measures to address those barriers
- Planning work is undertaken collaboratively, in partnership with covered populations and other state stakeholders
- Digital solutions for "full participation in the society and economy" may address inequities that pre-date the digital world

What is the Digital Equity Act (DEA)?

Digital Equity Act created three programs to promote digital equity and inclusion



Funding pool
\$2.75B

Three programs that provide funding to promote digital inclusion and advance equity for all. They aim to ensure that all communities can access and use affordable, reliable high-speed Internet to meet their needs and improve their lives.

PROGRAMS HIGHLIGHTS

The Digital Equity Act created three programs:

State Planning

- \$60M formula funding program to develop digital equity plans

State Capacity

- \$1.44B formula funding program to implement plans & promote digital inclusion

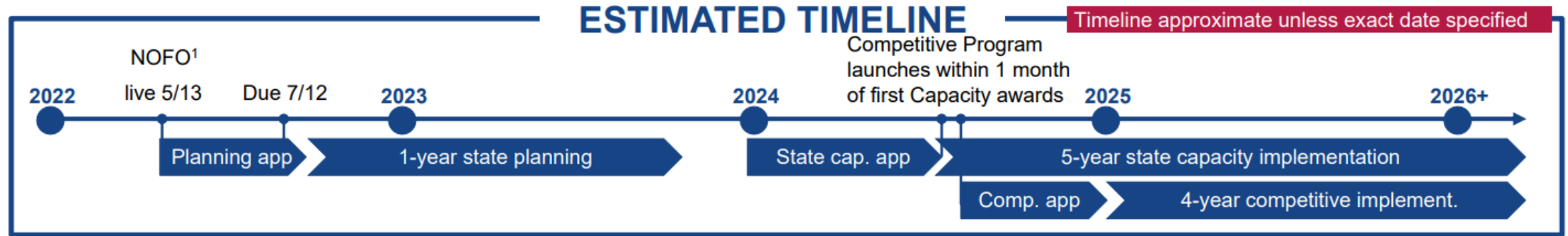
Competitive

- \$1.25B to implement digital equity and inclusion activities

Example eligible uses of funds across three programs include:

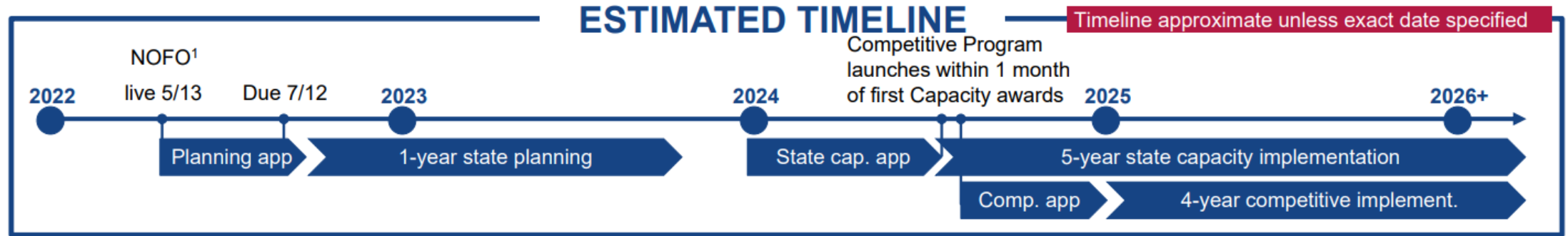
- ☆ Developing digital equity plans; states must develop a plan to be eligible for state capacity grants
- ☆ Making awards to other entities to help make digital equity plans
- ☆ Improving accessibility and inclusivity of public resources
- ☆ Implementing digital equity plans and related activities
- ☆ Providing digital literacy and digital skills education
- ☆ Facilitating the adoption of high-speed Internet

Digital Equity Act Programs



Program	Award purpose	Eligible recipient	Award date	Length of award	VT award amount
Digital Equity Planning Funds	Conduct outreach and engagement and develop a 5 year state digital equity plan	State Administering Entity (VCBB)	Oct. 1, 2022	1 year (Plan due Sept. 30, 2023, with possible extension up to 6 months)	\$518,154
State Capacity Grant	Support digital equity projects and implement state 5-year plan	State Administering Entity (VCBB)	Expected late 2023 or early 2024	Annual grant program for 5 years	??? (Possibly 12M?)
Competitive Grant	Implement digital equity projects	Eligible applicants (governmental and non-governmental entities)	NOFO mid-2024; awards expected in 2025	Annual grant program for 4 years	Total amount \$1.25B, compared with \$1.44B for Capacity Grant

Digital Equity Act Programs



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Vermont Digital Equity Planning work so far...

- Assembled Digital Equity Core Planning Team
 - Formed group and established norms
 - Received feedback on scope of work for a contractor
 - Working on draft Digital Equity vision statement
 - Helping to map state contacts for Outreach and Engagement
- Began mapping Outreach and Engagement universe
- Timeline and planning work in preparation of 5-year plan deadline
- Attended NDIA Net Inclusion conference in San Antonio Feb 28 – March 2, 2023 to learn from other states and stakeholders
- Released RFP for contractor (more on this later)



Digital Equity Core Planning Team

Members:

- The 16 members of the Core Planning Team represent a combination of state, federal, and nonprofit partners across Vermont working with the 8 "covered populations" of the Digital Equity Act.

Covered Populations: Aging individuals, individuals who live in covered households (household income below 150% FPL), incarcerated individuals, veterans, individuals with disabilities, individuals with a language barrier (including individuals who a. are English learners and b. have low literacy levels), individuals who are members of a racial or ethnic minority group, and individuals who primarily reside in a rural area.



Digital Equity Core Planning Team

Members

Vermont Community Broadband Board

Equal Access to Broadband

Department of Libraries

Department of Disabilities, Aging, and Independent Living

Association of Planning and Development Commissions

Vermont Council on Rural Development

Office of Racial Equity

Vermont Center for Independent Living

US Committee on Refugees and Immigrants - VT

Association of Area Agencies on Aging

US Dept of Housing and Urban Development

Community Action Partnership

Adult Education and Literacy Network

Veterans Outreach

Department of Corrections

Vermont Communications Union District Association

The Core Team will:

- Provide feedback and guidance to VCBB as plan is developed over the next 7-10 months.
- Identify/connect with stakeholders, collect data, and conduct asset mapping.



Vermont has a received Planning Grant Award of \$518K

DE Planning Proposed Structure

Project Lead

What: overall project and consultant team management, federal program officer communications, and Core Team logistics

Who: VCBB Staff



Coordination
Accountability
Collaboration

DE Core Team

What: review, approve, and advise direction and decisions of DE Planning Project; align projects/goals with mission and vision; coordinate across goal-based subgroups

Who: representatives from federal, state, non-profit and community organizations that serve covered populations

Goal-based subgroups

What: teams working on specific projects/goals identified as priorities

Who: led by contractors & convened groups identified by DE Core Team; point people from other agencies and organizations; others as interested

Lived Experts -
People who are part of the
covered populations



Lived Experts

Internet Providers &
Community Anchor Institutions

External groups & communities
and Other Vermont Equity Efforts

Broadband Equity, Access, & Deployment (BEAD)

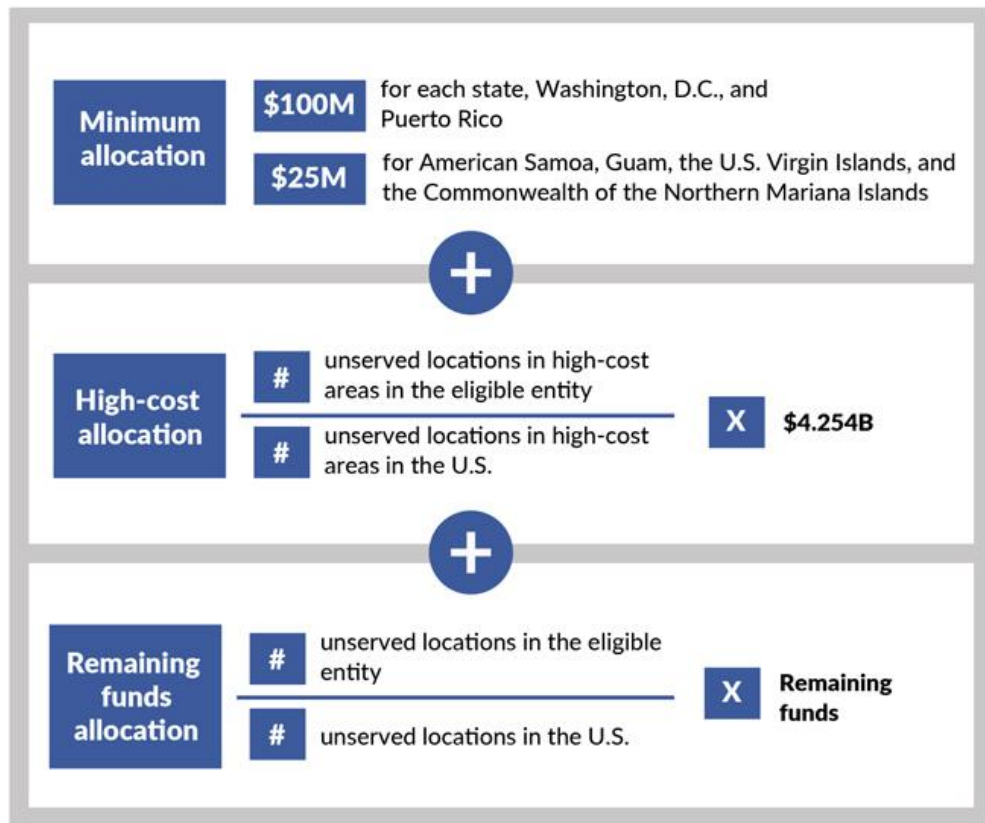
- *"The Broadband, Equity, Access & Deployment Program (BEAD) provides federal funding to make grants to Eligible Entities for broadband planning, deployment, mapping, equity, and adoption projects and activities." - BEAD FAQ*
- *"A [State]... may request up to \$5,000,000 in Initial Planning Funds." - BEAD NOFO*
- *"The BEAD Program involves multiple steps and stages of application review, a robust and competitive subgrantee selection process, and ongoing reporting and monitoring obligations." - BEAD NOFO*
- *"The Program's principal focus will be on deploying broadband service to unserved locations [under 25/3] and underserved locations [under 100/20]. Eligible Entities that demonstrate they will be able to ensure service to all unserved and underserved locations will be free to propose plans that use remaining funds in a wide variety of ways, but NTIA underscores its strong preference that Eligible Entities also ensure deployment of gigabit connections to community anchor institutions such as libraries and community centers that lack such connectivity." - BEAD NOFO*

Broadband Equity, Access, & Deployment (BEAD)

Figure 1

BEAD Will Provide Guaranteed Minimum Funding Plus Additional Targeted Amounts

Program allocations by recipient, formula, and purpose



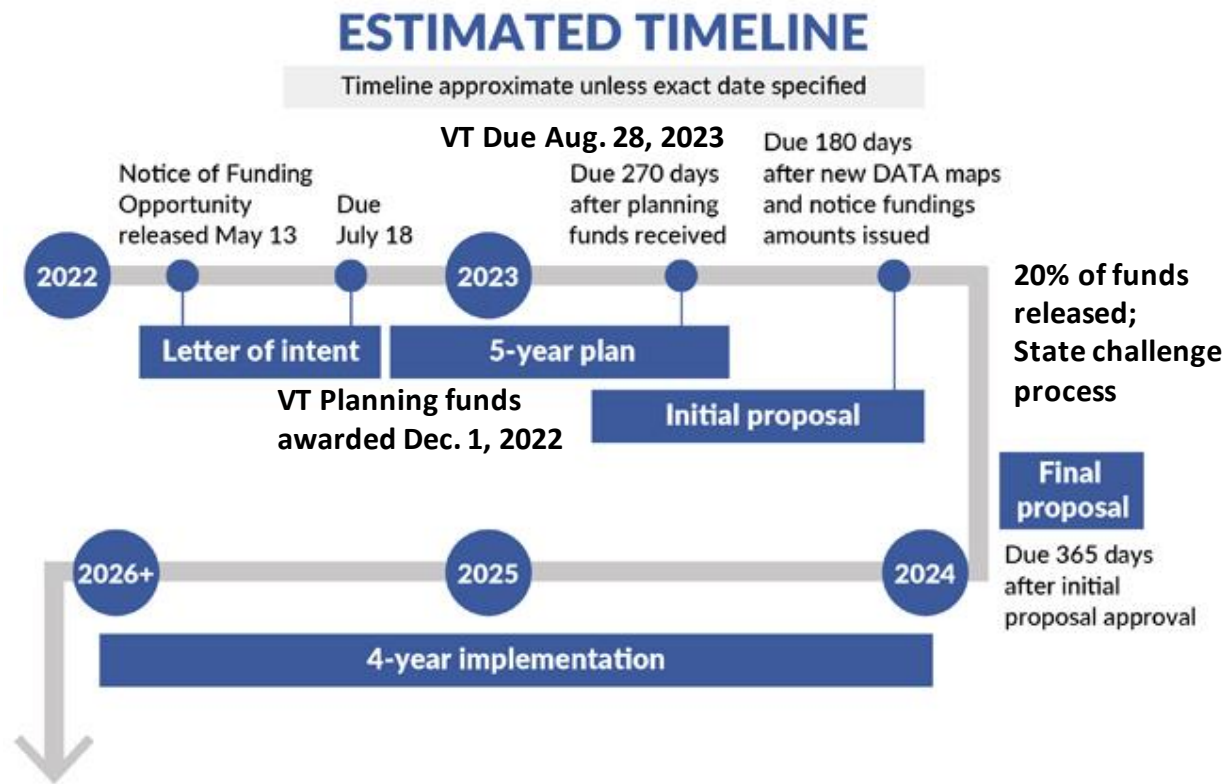
Source: National Telecommunications and Information Administration, "The Broadband Equity, Access, and Deployment Program: Program Details for Applicants" (webinar, May 2022), <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-06/June-1-Webinar-Presentation.pdf>

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Figure 2

NTIA Expects BEAD Implementation to Take Roughly 4 Years

Estimated timeline for proposal development and funding allocations



Source: National Telecommunications and Information Administration, "The Broadband Equity, Access, and Deployment Program: Program Details for Applicants" (webinar, May 2022), <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-06/June-1-Webinar-Presentation.pdf>

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VT has received \$5M for Planning and Capacity. \$100M + allocated in June for Implementation

BEAD Planning and BEAD Capacity Funds

BEAD Planning Funds

- \$5M for Vermont awarded annually over 5 years (\$1M/yr)
- Deliverables:
 - 5-Year Action Plan
 - Initial Proposal to the NTIA for BEAD Capacity Funds (due July – December 2023)
 - Final Proposal to the NTIA for BEAD Capacity Funds (due 1 year after initial proposal is approved)
 - General planning efforts



BEAD Capacity Funds

- Vermont will receive the minimum allocation of \$100M, plus additional \$50-\$125M based on the FCC maps released in June
- 20% available upon acceptance of the Initial Proposal
- Remainder available upon acceptance of the Final Proposal
- NTIA has stringent conditions for how Capacity Funds may be used

BEAD planning efforts to date...

- Challenged tens of thousands of addresses on the FCC Map
- Worked with RISI to analyze BEAD and Act 71 requirements
- Attended NTIA State Broadband Leaders Network 2023 Summit, Feb. 7-9
- Worked with VT's Federal Program Officer to submit and escalate questions and requests regarding Vermont's broadband buildout path
- Began mapping Outreach and Engagement universe
- Released RFP for contractor (more on this later)

FCC Map Challenge: Maximizing VT's Capacity Fund Allocation

As part of the FCC's Broadband Data Collection, internet service providers report where they make internet services available. The FCC reviews the data and then publishes it on the **National Broadband Map**. Individuals or States can dispute, or challenge, information shown on the map. Vermont used the Public Service Department (PSD) drive data to submit bulk challenges. A public relations campaign was launched to encourage Vermonters to make individual challenges.

- **Locations** - There are 67,274 addresses that exist in the Vermont E-911 database that are not present in the FCC Map. The state filed a location challenge based on that in October.
- **Availability** - VCBB filed availability challenges on 45,000 addresses on the January 13 deadline.
- **Funding** - Each address that is corrected could mean \$4,000-\$5,000 in additional federal funding.



BEAD Capacity uses

1. Deploying/upgrading broadband network facilities in connection with an Unserved Service Project or an Underserved Service Project;

2. Deploying/upgrading broadband network facilities to provide or improve service to an eligible community anchor institution;

3. Data collection, broadband mapping, and planning to the extent necessary beyond the planning fund allocation

4. Installing internet and Wi-Fi infrastructure or providing reduced-cost broadband within a multi-family residential building,

5. Broadband adoption, including programs to provide affordable internet-capable devices;

6. Training and workforce development;

7. Other uses, including other Digital Equity programs not already included above

BEAD Overview

The BEAD Program includes \$42B for high-speed Internet access

Funded by the Bipartisan Infrastructure Law, BEAD is a federal grant program that aims to get all Americans online by funding partnerships between states or territories, communities, and stakeholders to build infrastructure where we need it to and increase adoption of high-speed internet. BEAD prioritizes unserved locations that have no internet access or that only have access under 25/3 Mbps and underserved locations only have access under 100/20 Mbps.

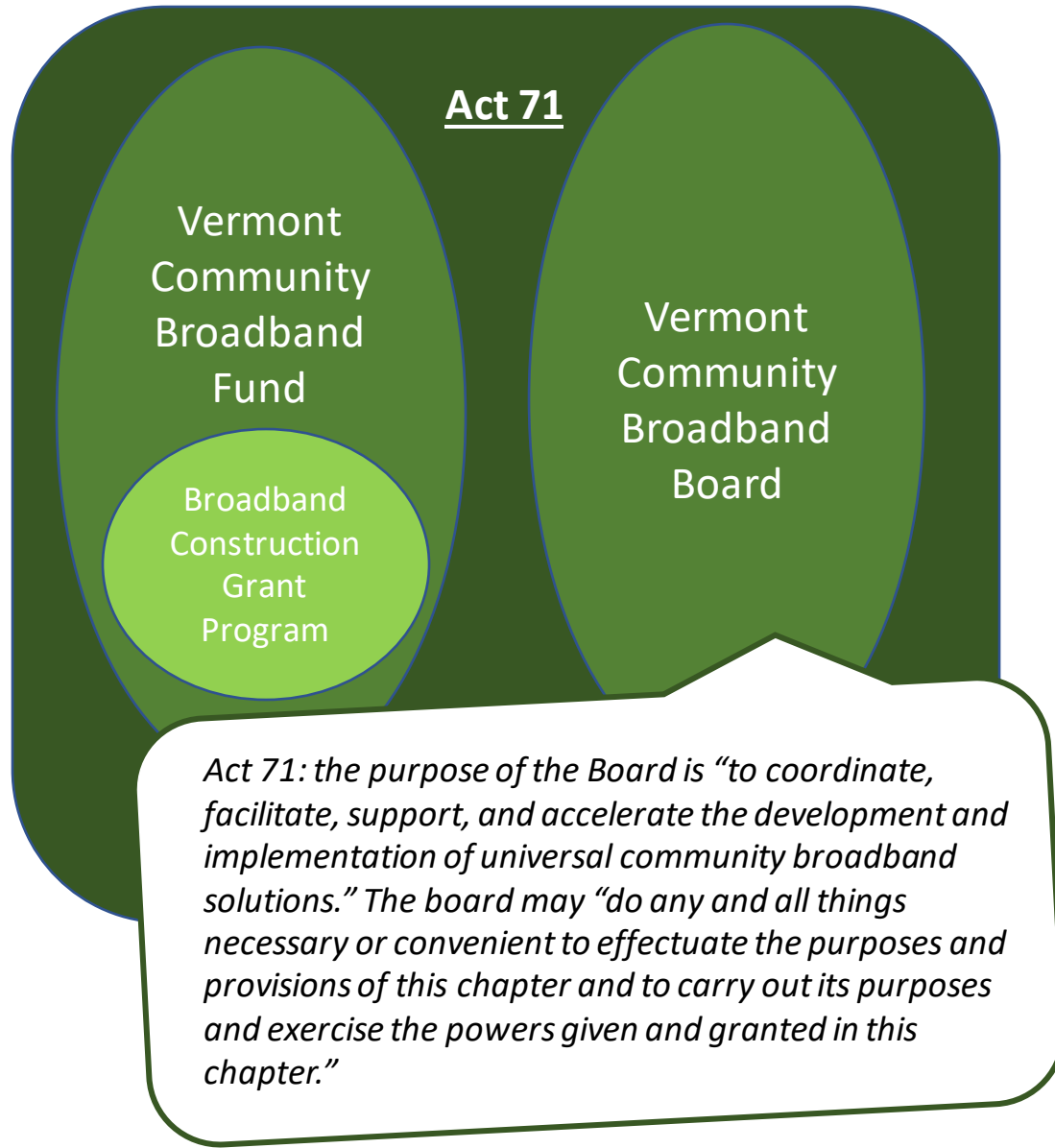


VCBB Mission

It is the purpose of the VCBB and Vermont Community Broadband Fund to support policies and programs designed to accelerate community efforts that advance the State's goal of achieving universal access to reliable, high-quality, affordable, and fixed broadband.

The VCBB was created to coordinate, facilitate, support, and accelerate the development and implementation of universal community broadband solutions.

Relationship of BEAD to Act 71, VCBB, and VCBF



BEAD

- Bound by IIJA and NTIA requirements
 - Grant recipient is State of Vermont; administered by VCBB
- BEAD \$ does not flow through the VCBF or the Broadband Construction Grant Program
- VCBB's authority to administer BEAD comes from Act 71 and the Joint Fiscal acceptance process
- VCBB is committed to following the VCBF and the Broadband Construction Grant Program as closely as possible

BEAD Funding Flow

Money appropriated
for BEAD in IIJA;
recipient is State of
Vermont

BEAD program
designed by
VCBB

Legislative Joint
Fiscal Committee
approves VCBB
proposed BEAD
program

Funds flow on
reimbursement basis to
Vermont (do not pass
through VT
Community
Broadband Fund)

VCBB selects
subgrantees in
competitive process
that complies with
both BEAD NOFO
and VCBB mission

Selected BEAD / Act 71 "conflicts"

Please note that this table is for illustrative purposes only, and should not be interpreted to convey Vermont's intended direction for using BEAD funding. The creation of VT's 5 year plan and Initial Proposal will be informed by extensive stakeholder engagement and communication with the NTIA.

Topic	BEAD	Act 71	Possible resolution(s)
Subgrantee selection	Process must be open and competitive; emphasis on lowest amount of federal funds required	Must be a "universal community broadband solution"	Use gating and scoring criteria to ensure applicants are pursuing universal community broadband solutions, while keeping process open and competitive. VT has asked many questions to better understanding the scoring parameters.
Unserved / underserved	"Unserved" is < 25/3; "Underserved" is <100/20	"Unserved" is <4/1; "Underserved" is <25/3	Require subgrantees to serve all addresses <25/3; allow funds to be used for additional addresses <100/20.
Service speeds funded	Must offer 100/20	Must offer 100/100	Use Act 71 definition.
High cost addresses	State sets a high cost per address (on and off grid), above which alternate technology may be used	Only requires serving on-grid addresses	VT has asked about using other factors to define "high cost addresses" and is awaiting responses.
Mapping data used	FCC data with state challenge process	PSD data with VCBP ability to alter	VT is awaiting clarity from NTIA on guidelines for state challenge process.
Project area	State can define, but must be at least 80% underserved	CUD or town	Define Project Area to the subset of all addresses in a town or CUD that receive less than 100/20 Mbps service; allow for project area to expand to include up to 20% served addresses.
Match	Requires 25% match	No matching requirement	VT is awaiting answers on many questions about parameters for using ARPA and other sources of funds for match, and whether 25% can be statewide instead of project by project.

Subgrantee Selection Requirements

- State creates its own challenge process for FCC maps, using FCC locations
- Subgrantee selection *must be competitive* and open to applications from cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments
- State sets selection criteria, within prescriptive parameters from NTIA

Consider the relationship between the Gating and Scoring criteria when evaluating potential subgrantees.



Gating

- Evaluation criteria that is required of each applicant and/or project to be eligible for funding.



Scoring

- Evaluation criteria that assign values to projects to choose between competing projects.

Matching Funds

Per the BEAD NOFO Section III.B, each Eligible Entity engaging in deployment activities shall provide, require its subgrantee to provide, or provide in concert with its subgrantee, matching funds of not less than 25 percent of project costs. Allowable match fund sources include: State, Local Government, Utility Company, Cooperative, Nonprofit Organization, For-Profit Company, Regional Planning, and/or Governmental Organization.

Subgrantee Selection Process

Understand Subgrantee Selection Requirements

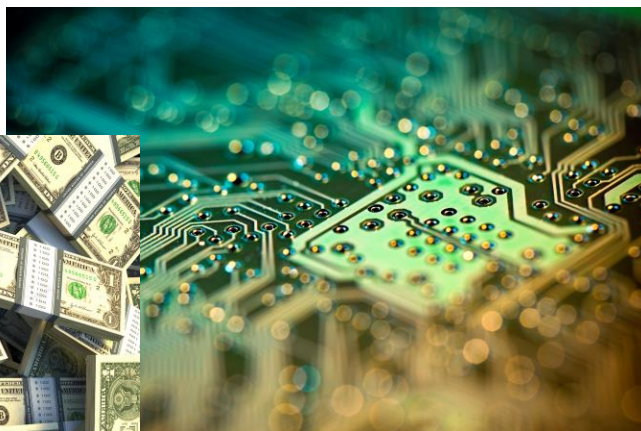
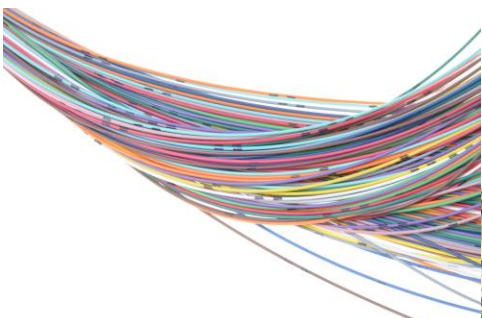
Subgrantee Qualifications	General Principles (IV.B.7.a)	Prioritization & Scoring Principles (IV.B.7.b)						
<div>1. Prospective Subgrantees must meet General Qualifications (IV.D.1)</div> <div>2. Prospective Subgrantees must demonstrate Specific Qualifications (IV.D.2)</div> <div><div>Subgrantee is qualified to complete the work. Includes Letter of Credit requirement</div></div>	<div>1. Protecting Integrity of Selection Process</div> <div>2. Abiding by Last-Mile Broadband Deployment Projects Principles</div> <div>3. Adhering to the Infrastructure Act's requirement that subgrants be awarded "competitively" for Non-Deployment Uses</div>	<div>1. Complete coverage of Unserved Locations and Underserved Locations, followed by prioritization of eligible CAIs</div> <div>2. Selection among competing proposals for the same location or locations</div> <table><tr><th>Primary Criteria</th><th>Secondary Criteria</th><th>Additional Factors</th></tr><tr><td><div><ul style="list-style-type: none">Minimal BEAD Program OutlayAffordabilityFair Labor Practices</div><div>Collectively 75% of total criteria</div></td><td><div><ul style="list-style-type: none">Speed to DeploymentSpeed of Network and Other Technical Capabilities</div></td><td><div><ul style="list-style-type: none">Equitable Workforce DevelopmentOpen AccessLocal & Tribal Coordination</div></td></tr></table>	Primary Criteria	Secondary Criteria	Additional Factors	<div><ul style="list-style-type: none">Minimal BEAD Program OutlayAffordabilityFair Labor Practices</div> <div>Collectively 75% of total criteria</div>	<div><ul style="list-style-type: none">Speed to DeploymentSpeed of Network and Other Technical Capabilities</div>	<div><ul style="list-style-type: none">Equitable Workforce DevelopmentOpen AccessLocal & Tribal Coordination</div>
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Source: NTIA Subgrantee Selection Primer

Remaining obstacles

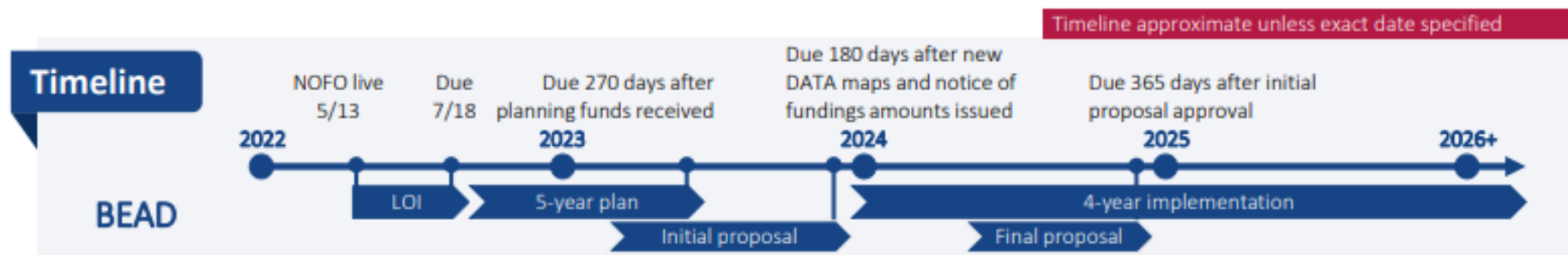
- Developing state FCC map challenge process
- Letter of Credit
- State and federal permitting
- Receiving clarity from NTIA
- Remaining flexible as information develops

BEAD and Digital Equity Alignment and Next Steps



BEAD and Digital Equity timelines

The philosophy and practicality of alignment



DE 5-year plan requirements

i. Statutory Requirements The statutory requirements for the contents of State Digital Equity Plans are set forth in Section 60304(c)(1) of the Infrastructure Act, and are listed below:

- 1. Identification of barriers to digital equity faced by Covered Populations in the State.
- 2. Measurable objectives for documenting and promoting, among each Covered Population located in that State— a. The availability of, and affordability of access to, fixed and wireless broadband technology; b. The online accessibility and inclusivity of public resources and services; c. Digital literacy; d. Awareness of, and the use of, measures to secure the online privacy of, and cybersecurity with respect to, an individual; and e. The availability and affordability of consumer devices and technical support for those devices.
- 3. An assessment of how the measurable objectives identified in item 2 of this Section IV.C.1.b.i will impact and interact with the State's — a. Economic and workforce development goals, plans, and outcomes; b. Educational outcomes; c. Health outcomes; d. Civic and social engagement; and e. Delivery of other essential services.
- 4. In order to achieve the measurable objectives identified in item 2 of this Section IV.C.1.b.i, a description of how the State plans to collaborate with key stakeholders in the State, which may include a. Community anchor institutions; b. County and municipal governments; c. Local educational agencies; d. Where applicable, Indian Tribes, Alaska Native entities, or Native Hawaiian organizations; e. Nonprofit organizations; f. Organizations that represent— i. Individuals with disabilities, including organizations that represent children with disabilities; ii. Aging Individuals; iii. Individuals with language barriers, including— 1. Individuals who are English learners; and 2. Individuals who have low levels of literacy; iv. Veterans; and v. Individuals in that State who are incarcerated in facilities other than Federal correctional facilities; g. Civil rights organizations; h. Entities that carry out workforce development programs; i. Agencies of the State that are responsible for administering or supervising adult education and literacy activities in the State; k. Public housing authorities in the State; and l. A partnership between any of the entities described in clauses (a) through (k).
- 5. A list of organizations with which the Administering Entity for the State collaborated in developing the Plan.

ii. Additional Requirements In addition to the above requirements, the State Digital Equity Plan developed with planning grant funds shall, at a minimum, include the following:

- 1. A stated vision for digital equity;
- 2. A digital equity needs assessment, including a comprehensive assessment of the baseline from which the State is working and the State's identification of the barriers to digital equity faced generally and by each of the covered populations in the State;
- 3. An asset inventory, including current resources, programs, and strategies that promote digital equity for each of the covered populations, whether publicly or privately funded, as well as existing digital equity plans and programs already in place among municipal, regional, and Tribal governments;
- 4. To the extent not addressed in connection with item 4 of Section IV.C.1.b.i, a coordination and outreach strategy, including opportunities for public comment by, collaboration with, and ongoing engagement with representatives of each category of covered populations within the State and with the full range of stakeholders within the State;
- 5. A description of how municipal, regional, and/or Tribal digital equity plans will be incorporated into the State Digital Equity Plan;
- 6. An implementation strategy that is holistic and addresses the barriers to participation in the digital world, including affordability, devices, digital skills, technical support, and digital navigation. The strategy should (a) establish measurable goals, objectives, and proposed core activities to address the needs of covered populations, (b) set out measures ensuring the plan's sustainability and effectiveness across State communities, and (c) adopt mechanisms to ensure that the plan is regularly evaluated and updated;
- 7. An explanation of how the implementation strategy addresses gaps in existing state, local, and private efforts to address the barriers identified pursuant to Section IV.C.1.b.i, item 1, of this NOFO;
- 8. A description of how the State intends to accomplish the implementation strategy described above by engaging or partnering with: a. Workforce agencies such as state workforce agencies and state/local workforce boards and workforce organizations; b. labor organizations and community-based organizations; and c. Institutions of higher learning, including but not limited to four-year colleges and universities, community colleges, education and training providers, and educational service agencies;
- 9. A timeline for implementation of the plan; and
- 10. A description of how the State will coordinate its use of State Digital Equity Capacity Grant funding and its use of any funds it receives in connection with the Broadband Equity, Access, and Deployment Program, other federal or private digital equity funding.

BEAD 5-year action plan requirements

Preparing a Five-Year Action Plan gives Eligible Entities the opportunity to identify their communities' broadband access, affordability, equity and adoption needs and to adopt strategies, goals and initial measures for meeting those needs using BEAD and other funds. At a minimum, an Eligible Entity's Five-Year Action Plan must:

1. Provide details of the existing broadband program or office within the Eligible Entity, including any activities that the program or office currently conducts, any previous entity wide plans or goals for availability of broadband, and any prior experience awarding broadband deployment grants.

2. Identify the funding that the Eligible Entity currently has available for broadband deployment and other broadband-related activities, including data collection and local planning, and the sources of that funding, including whether the funds are from the Eligible Entity or from the federal government.

3. Identify existing efforts funded by the federal government, including the Universal Service Fund, or an Eligible Entity to deploy broadband and close the digital divide.

4. Identify the current full-time and part-time employees of the Eligible Entity who will assist in implementing and administering the BEAD Program and the duties assigned to those employees, as well as any existing contracted support, and any planned expansion of employees or contractors.

5. Identify known or potential obstacles or barriers to the successful implementation of the BEAD Program and the Eligible Entity's corresponding plans to address them.

6. Include an asset inventory that catalogues broadband adoption, affordability, equity, access, and deployment activities occurring within the Eligible Entity and identifies and provides details regarding any relevant partners, such as community-based organizations and CAIs that may inform broadband deployment and adoption planning.

7. Include a description of the Eligible Entity's external engagement process, demonstrating collaboration with local, regional, and Tribal (as applicable) entities (governmental and nongovernmental) and reflective of the local coordination requirements outlined herein, including outreach to underrepresented communities and unions and worker organizations. The engagement required must be undertaken both during the development of the Five-Year Action Plan itself and following submission of the plan, reflecting ongoing collaboration throughout the BEAD Program.

8. Incorporate available federal, Eligible Entity, or local broadband availability and adoption data, including but not limited to Affordable Connectivity Program enrollment data. Other federal broadband federal data sources include the NTIA Internet Use Survey,²⁹ the NTIA Indicators of Broadband Need Map,³⁰ and the American Community Survey.³¹

9. Identify local and regional broadband service needs and gaps within the Eligible Entity's boundaries, including unserved or underserved locations and CAIs without gigabit service, and/or any plans to make these determinations where service availability is unclear.

10. Provide a comprehensive, high-level plan for providing reliable, affordable, high-speed internet service throughout the Eligible Entity, including: a. The estimated timeline and cost for universal service, b. The planned utilization of federal, Eligible Entity, and local funding sources, c. Prioritization of areas for federal support, d. Any consideration afforded to the use of public-private partnerships or cooperatives in addressing the needs of the Eligible Entity's residents, e. Strategies to address affordability issues, including but not limited to strategies to increase enrollment in the Affordable Connectivity Program by eligible households; and f. Strategies to ensure an available and highly skilled workforce (including by subgrantees, contractors, and subcontractors) to minimize project disruptions, including any plans to ensure strong labor standards and protections, such as those listed in Section IV.C.1.e; and plans to attract, retain, or transition the skilled workforce needed to achieve the plan's goals, including describing the involvement and partnerships of sub-grantees, contractors, and sub-contractors with existing inhouse skills training programs, unions and worker organizations; community colleges and public school districts; supportive services providers; Registered Apprenticeship programs and other labor-management training programs, or other quality workforce training providers.

11. Identify digital equity and inclusion needs, goals, and implementation strategies, including ways in which the Eligible Entity plans to utilize BEAD funding, Digital Equity Act funding and/or other funding streams in concert to remedy inequities and barriers to inclusion. Accordingly, the Five-Year Action Plan should set forth a vision for digital equity, include the results of a needs assessment for underrepresented communities and an asset inventory of ongoing digital equity activities, and detail holistic strategies around affordability, devices, digital skills, technical support, and digital navigation. This requirement may be satisfied by the completion of a State Digital Equity Plan under the Digital Equity Act.³² Please refer to the Digital Equity Act State Planning Grant Program NOFO for the requirements and deadlines applicable to that program.

12. Detail alignment of the Five-Year Action Plan with other existing and planned economic development, telehealth, workforce development, related connectivity efforts, and other Eligible Entity priorities.

13. Describe technical assistance and additional capacity needed for successful implementation of the BEAD Program.

BEAD Initial Proposal requirements

NTIA will provide Eligible Entities with an online template for submission of the Initial Proposal. An Eligible Entity may submit only a single Initial Proposal. The Initial Proposal must, at a minimum:

1. Outline long-term objectives for deploying broadband, closing the digital divide, addressing access, affordability, equity, and adoption issues, and enhancing economic growth and job creation including information developed by the Eligible Entity as part of the Five Year Action Plan and information from any comparable strategic plan otherwise developed by the Eligible Entity, if applicable.
2. Identify, and outline steps to support, local, Tribal, and regional broadband planning processes or ongoing efforts to deploy broadband or close the digital divide and describe coordination with local and Tribal Governments, along with local, Tribal, and regional broadband planning processes.
3. Identify existing efforts funded by the federal government or an Eligible Entity within the jurisdiction of the Eligible Entity to deploy broadband and close the digital divide, including in Tribal Lands.
4. Certify that the Eligible Entity has conducted coordination, including with Tribal Governments, local community organizations, unions and worker organizations, and other groups, consistent with the requirements set forth in Section IV.C.1.c of this NOFO, describe the coordination conducted, summarize the impact such coordination had on the content of the Initial Proposal, detail ongoing coordination efforts, and set forth the plan for how the Eligible Entity will fulfill the coordination requirements associated with its Final Proposal.
5. Identify each unserved location and underserved location under the jurisdiction of the Eligible Entity, including unserved and underserved locations in applicable Tribal Lands, using the most recently published Broadband DATA Maps as of the date of submission of the Initial Proposal, and identify the date of publication of the Broadband DATA Maps used for such identification.
6. Describe how the Eligible Entity applied the statutory definition of the term “community anchor institution,” identified all eligible CAIs in its jurisdiction, identified all eligible CAIs in applicable Tribal Lands, and assessed the needs of eligible CAIs, including what types of CAIs it intends to serve; which institutions, if any, it considered but declined to classify as CAIs; and, if the Eligible Entity proposes service to one or more CAIs in a category not explicitly cited as a type of CAI in Section 60102(a)(2)(E) of the Infrastructure Act, the basis on which the Eligible Entity determined that such category of CAI facilitates greater use of broadband service by vulnerable populations.
7. Include a detailed plan to conduct a challenge process as described in Section IV.B.6.
8. Include a detailed plan to competitively award subgrants consistent with Section IV.B.7.a of this NOFO with regard to both last-mile broadband deployment projects and other eligible activities. With respect to last-mile broadband deployment projects, the plan must explain how the Eligible Entity will ensure timely deployment of broadband and minimize the BEAD subsidy required to serve consumers consistent with Section IV.B.7 and the other priorities set out in this NOFO. The Initial Proposal must include identification of, or a detailed process for identifying, an Extremely High Cost Per Location Threshold to be utilized during the subgrantee selection process described in Section IV.B.7 of this NOFO. Each Eligible Entity must establish its Extremely High Cost Per Location Threshold in a manner that maximizes use of the best available technology while ensuring that the program can meet the prioritization and scoring requirements set forth in Section IV.B.7.b of this NOFO. NTIA expects Eligible Entities to set the Extremely High Cost Per Location Threshold as high as possible to help ensure that end-to-end fiber projects are deployed wherever feasible.

9. With respect to non-deployment eligible activities, explain any preferences the Eligible Entity will employ in selecting the type of initiatives it intends to support using BEAD Program funds, the means by which subgrantees for these eligible activities will be selected, how the Eligible Entity expects the initiatives it pursues to address the needs of the Eligible Entity's residents, the ways in which engagement with localities and stakeholders will inform the selection of eligible activities, and any efforts the Eligible Entity will undertake to determine whether other uses of the funds might be more effective in achieving the BEAD Program's equity, access, and deployment goals.

10. Describe any initiatives the Eligible Entity proposes to implement as the recipient without making a subgrant, and why it proposes that approach.

11. Detail how the Eligible Entity will ensure that subgrantees, contractors, and subcontractors use strong labor standards and protections, such as those listed in Section IV.C.1.e, and how the Eligible Entity will implement and apply the labor-related subgrantee selection criteria described below in Section IV.C.1.e of this NOFO.

12. Detail how the Eligible Entity will ensure an available, diverse, and highly skilled workforce consistent with Section IV.C.1.e of this NOFO.

13. Describe the process, strategy, and data tracking method(s) that the Eligible Entity will implement to ensure that minority businesses, women-owned business enterprises, and labor surplus area firms are recruited, used, and retained when possible.

14. Identify steps that the Eligible Entity will take to reduce costs and barriers to deployment, promote the use of existing infrastructure, promote and adopt dig-once policies, streamlined permitting processes and cost-effective access to poles, conduits, easements, and rights of way, including the imposition of reasonable access requirements.

15. Provide an assessment of climate threats within the Eligible Entity and proposed mitigation methods consistent with the requirements of Section IV.C.1.h of this NOFO.

16. Describe the low-cost plan(s) that must be offered by subgrantees consistent with the requirements of Section IV.C.2.c.i of this NOFO.

17. Describe the intended use of the 20 percent of total funding allocation that is made available upon approval of the Initial Proposal consistent with Section IV.B.8 of this NOFO.

18. Disclose (1) whether the Eligible Entity will waive all laws of the Eligible Entity concerning broadband, utility services, or similar subjects, whether they predate or postdate enactment of the Infrastructure Act, that either (a) preclude certain public sector providers from participation in the subgrant competition or (b) impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer; and (2) if it will not waive all such laws for BEAD Program project selection purposes, identify those that it will not waive and describe how they will be applied in connection with the competition for subgrants.

19. Certify the intent of the Eligible Entity to comply with all applicable requirements of the Program, including the reporting requirements, and describe subgrantee accountability procedures

VCBB's DE/BEAD Contractor(s) RFP

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[VT Community Broadband Board \(VCBB\)](#)

VCBB Seeks Contractor to Develop Vermont's Internet for All Plans - Broadband Equity Access & Deployment and Digital Equity

[REQUESTS FOR PROPOSALS](#)

Tue, 02/28/2023 - 12:00

The Vermont Community Broadband Board (VCBB) seeks to enter into a contract with one or more companies or organizations to provide strategic program development services, research and data analysis, community outreach and engagement, and writing services to facilitate the development of Vermont's 5-Year Broadband Equity Access and Deployment (BEAD) and State Digital Equity Plans and Vermont's Initial Proposal for funding under the BEAD Program that meets the requirements set forth by the National Telecommunications and Information Administration (NTIA) Internet for All Programs. The work primarily involves community outreach and engagement, and strategic program development. Contracts will be for one year beginning in April 2023.

Proposals are due by March 28, 2023

Contact: Alissa Matthews, Special Projects Director, Vermont Community Broadband Board, Alissa.Matthews@vermont.gov

For further information, please see the [RFP document](#)

<https://publicservice.vermont.gov/vt-community-broadband-board-vcbb/jobs-rfps-and-contracts>

VCBB's DE/BEAD Contractor(s) RFP

"The Scope of Work section of this RFP has been written with specificity to account for the extent to which, unlike many other states conducting these planning processes, Vermont has already performed substantial investments in planning..."

"The VCBB welcomes proposals that address any combination of the tasks needed to build upon Vermont's current planning work to address the deliverables required by the NTIA and outlined in the 5-year Action Plan, the Initial Proposal for BEAD funds, and the State Digital Equity Plan..."

"This RFP breaks the tasks needed into two broad categories: outreach & engagement (section 2.2.1) and strategic program development (section 2.2.2). We welcome proposals for covering all tasks needed by the VCBB; for section 2.2.1 only; for section 2.2.2 only; or for a different subset of the tasks outlined in this RFP. The VCBB will make the existing work product available to the winning bidder."

VCBB DE/BEAD Contractor(s) selection process

- RFP responses will be opened on March 28, 2023; contractor negotiation and selection in April
- Decision matrix will be made ahead of time, including the following factors:
 - ❖ Cost, performance history / past experience, knowledge of Vermont stakeholders and broadband strategy, knowledge of BEAD and DE, expertise navigating federal grant programs, organizational assets, and references
- Board will be updated at April board meeting. Other progress will be noted in weekly updates, and board will receive special notification when contract is signed.

Board inclusion / information for BEAD and DE

How will the board stay informed and provide advise?

- Each task and milestone included in the Weekly Update
- Agenda item at each monthly board meeting if board members desire

Milestones shared directly with the board

- Outreach and Engagement plan (with invitation to all public events)
- Draft BEAD 5 year plan
- Draft Digital Equity plan

Votes required or requested by board

- BEAD Initial Proposal
- BEAD 5 year plan
- Digital Equity 5 year plan
- BEAD Final Proposal



Potential timeline moving forward

Month	Digital Equity	Alignment	BEAD
March	Map outreach and engagement universe; create vision statement	RFP open period; respond to RFP questions	Work on Letter of Credit requirement; Begin planning State Challenge process
April		Negotiate and sign contract(s)	
May		Outreach and Engagement	
June		Outreach and Engagement	Notice of funding amounts issued June 30
July		Write, publish and refine draft plans	Target submission of BEAD Initial Proposal
August		Write, publish and refine draft plans	BEAD 5 year plan due August 28
September	DE 5-year plan due Sept. 30, with possible extension up to 6 months		
Early 2024	Anticipated start of 5 year State Capacity Grant program	Begin Capacity stage for DE and BEAD	NTIA timeline indicates earliest release of initial BEAD capacity funds
March 2024	March 30 is 6 month extension deadline for DE 5 year plan		

Vermonters Benefit from Broadband



Thank You & Questions